

## Exhibit “C”

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF QUEENS

SEARCH  
WARRANT

-----X  
IN THE MATTER OF THE APPLICATION OF  
DETECTIVE DEVIN BAKER, SHIELD NO: 1595,  
OF THE 105<sup>TH</sup> PRECINCT,  
NEW YORK CITY POLICE DEPARTMENT,  
FOR A SEARCH WARRANT  
-----X

Q-808-23

TO ANY POLICE OFFICER IN THE STATE OF NEW YORK:

Proof having been made this day before me by Detective Devin Baker, Shield No.: 1595, assigned to the 105<sup>th</sup> Precinct, New York City Police Department, that there is reasonable cause to believe that such property, to wit: firearms, ammunition, any ballistic evidence, records or other evidence of ownership or use of this location, records or other evidence of ownership or use of firearms, including any containers or safes locked or otherwise, which might be used to conceal or store such a firearm (hereinafter referred to as the "Designated Property and/or Evidence"), is being unlawfully possessed and constitutes evidence or tends to demonstrate that an offense was committed or that a particular person participated in the commission of an offense in violation of Article 265 of the Penal Law of the State of New York at 67-21 185<sup>TH</sup> STREET, APARTMENT "A", COUNTY OF QUEENS, STATE OF NEW YORK, which is a three-story, multi-family residence with a red brick exterior; specifically, the target location is the left-most front door clearly marked "67-21" in black numbering against a white background, and also clearly marked with the letter "A" below said numbers (hereinafter the "Subject Location").

**YOU ARE THEREFORE COMMANDED**, between 6:00AM and 9:00PM, not more than ten days after the issuance of this warrant, without first announcing your purpose and/or authority, to make a search of the **Subject Location** for the **Designated Property and/or Evidence**, relating to the commission of an offense in violation of Article 265 of the Penal Law of the State of New York that occurred at the **Subject Location**, and if you find such property or any part thereof to bring it and this warrant before this or another court without unnecessary delay.

**AND YOU ARE HEREBY AUTHORIZED**, while carrying out the above-described search, to photograph and/or videotape the above-described premises; and it is further

**ORDERED** that the annexed affidavit of **Detective Devin Baker, Shield No.: 1595**, assigned to the **105<sup>th</sup> Precinct, New York City Police Department**, submitted in support of this search warrant, along with any testimony taken before this Court, remain sealed until further order of this Court except to the extent that the affidavit and any oral testimony may be disclosed by the District Attorney's Office in the discharge of their obligations under Article 245 of the Criminal Procedure Law.

Dated: 22<sup>nd</sup> day of September, 2023  
Queens, New York

HC  
JUDGE

12:04 pm  
TIME

JR/FTBH

HON GONZALEZ

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF QUEENS

-----X  
IN THE MATTER OF THE APPLICATION OF  
DETECTIVE DEVIN BAKER, SHIELD NO: 1595,  
OF THE 105<sup>TH</sup> PRECINCT,  
NEW YORK CITY POLICE DEPARTMENT,  
FOR A SEARCH WARRANT  
-----X

SEARCH  
WARRANT  
AFFIDAVIT

Q - 808-23

AFFIDAVIT FOR SEARCH WARRANT  
CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF QUEENS

STATE OF NEW YORK )

COUNTY OF QUEENS )

I, Detective Devin Baker, Shield No.: 1595, assigned to the 105<sup>th</sup> Precinct, New York City Police Department, being duly sworn, depose and say,

1. I am Detective Devin Baker, Shield No.: 1595, assigned to the 105<sup>th</sup> Precinct, New York City Police Department, and as such I am a public servant of the kind specified in C.P.L. § 690.05(1).
2. I have been a police officer in the New York City Police Department for eleven (11) years. I am currently assigned to the 105<sup>th</sup> Precinct and have been there for one and a half (1.5) years. During the course of my training at the New York City Police Department, I have been trained in the physical description and identification of firearms. I have participated in approximately one thousand (1,000) search warrant executions and approximately one thousand (1,000) firearms-related arrests.
3. I have information based upon the following:
4. I am currently leading an investigation regarding Criminal Possession of a Weapon, specifically a firearm (Penal Law Article 265), at: **67-21 185<sup>TH</sup> STREET, APARTMENT "A", COUNTY OF QUEENS, STATE OF NEW YORK**, which is a three-story, multi-family residence with a red brick exterior; specifically, the target location is the left-most front door clearly marked "67-21" in black numbering against a white background, and also clearly marked with the letter "A" below said numbers (hereinafter the "Subject Location");

where there is reasonable cause to believe the following property will be found:



firearms, ammunition, any ballistic evidence, records or other evidence of ownership or use of this location, records or other evidence of ownership or use of firearms, including any containers or safes locked or otherwise, which might be used to conceal or store such a firearm (hereinafter referred to as the “Designated Property and/or Evidence”), relating to the commission of an offense in violation of Article 265 of the Penal Law of the State of New York, which occurred on or about September 21, 2023.

5. I state that I personally observed the outside of the **Subject Location** on September 21, 2023, and it appears as I described in Paragraph 4.
6. My basis for believing that the property may be found in the **Subject Location**, and that it evinces criminality, is as follows:
7. As specified, the affiant is relying upon information provided by an individual who is a confidential informant presently registered with the New York City Police Department under **Confidential Informant** [REDACTED] (hereinafter referred to as the “CI”). During this investigation, the CI was at the [REDACTED] of [REDACTED]. The CI’s basis of knowledge is based upon the CI’s personal observations. The CI has proven to be reliable in the past in that, since approximately March, 2022, the CI has provided information to the New York City Police Department that has been the basis for approximately ten (10) search warrants. By way of these search warrants, the New York City Police Department has arrested approximately ten (10) people and has recovered both narcotics and firearms. Moreover, independent investigation by the New York City Police Department as described herein has corroborated the CI’s information. The CI informs me that the CI made the following observations of the [REDACTED] as described below.
8. I am informed by the CI that the CI knows a male, **Luis Nunez** (DOB: 11/29/1988; NYSID: 15864473P) (hereinafter referred to as the “subject”). I am further informed by the CI that the CI has known the **subject** for approximately [REDACTED]. I am further informed by the CI that the CI knows the **subject** to live at 67-21 185<sup>th</sup> Street, Apartment B, County of Queens, State of New York (hereinafter referred to as **Apartment B**), which is contained within the same structure as the **Subject Location**. I am further informed by the CI that the front door to **Apartment B** is directly next to the front door to the **Subject Location**. I am further informed by the CI that the CI [REDACTED]
9. [REDACTED]
10. I am further informed by the CI that on [REDACTED]



11. I am further informed by the CI that the CI was outside [REDACTED]  
[REDACTED]
12. I am further informed by the CI that on [REDACTED]  
[REDACTED]
13. I am further informed by the CI that the [REDACTED]  
[REDACTED]
14. I am further informed by the CI that the CI has observed the subject to be in possession of the above-mentioned firearm on several occasions [REDACTED]
15. I am further informed by the CI that on [REDACTED] I am further informed  
by the CI that the [REDACTED]  
[REDACTED]
16. [REDACTED]
17. [REDACTED]
18. I am further informed by the CI that the CI has personally observed various narcotics in the past, that the CI is familiar with narcotics, and that it is the CI's opinion that the substances the CI observed possess the same physical characteristics as narcotics.
19. I am further informed by the CI that the CI has seen firearms in the past, and it is the CI's belief that the above-mentioned firearms are actual, operable firearms. I am further informed by the CI that it is the CI's belief that the above-mentioned firearm parts and power drills are used to construct actual, operable firearms.

20. I state that I am familiar with firearms and “ghost guns” and, based upon my training and experience, firearm parts and power drills are components commonly to manufacture “ghost guns.”
21. I further state that I have conducted a search of the **subject** in DASLite, Domain Awareness System (DAS), a New York City Police Department Database, and that said record was made in the regular course of said business and that it was the regular course of such business to make it, at the time of the act, transaction, occurrence or event, or within a reasonable time thereafter and that said records show that no one at the **Subject Location** is licensed to possess firearms.
22. I further state that I have conducted a search of **Apartment B** in the Domain Awareness System (DAS), a New York City Police Department Database, whose records are made in the regular course of said business and that it was the regular course of such business to make such records, at the time of the act, transaction, occurrence or event, or within a reasonable time thereafter, and said records reflect that **Apartment B** is listed as the **subject's** address.
23. I further state that have conducted a search of the **Subject Location** in Accurint, a New York City Police Department Database, and that said record was made in the regular course of said business and that it was the regular course of such business to make it, at the time of the act, transaction, occurrence or event, or within a reasonable time thereafter and that said records indicate that the tenants most recently listed in connection with the **Subject Location** moved out of the **Subject Location** by September 1, 2023.
24. I further state that I obtained and read a printout of the **subject's** arrest record from DASLite, which records are made in the regular course of business and that it was the regular course of such business to make it, at the time of the act, transaction, occurrence or event, or within a reasonable time thereafter and that said records indicate that the **subject** was previously arrested approximately one (1) time.
25. Based upon my training and experience as a police officer investigating Criminal Possession of a Weapon, I believe that revealing the existence of a **CI** in this affirmation would endanger their safety. Further, as set forth herein, this is an active criminal investigation. I believe that dissemination of information contained within this affidavit could seriously jeopardize this ongoing criminal investigation. Therefore, I am requesting that this affidavit submitted in support of this application for a search warrant, as well as any oral deposition given before this Court, remain sealed until further order of this Court, except to the extent that the affidavit and any oral testimony may be disclosed by the District Attorney's Office in the discharge of their obligations under Article 245 of the Criminal Procedure Law.
26. I respectfully request the Court's permission to execute this search warrant without first announcing our purpose and or our authority, because in my experience as an investigator when firearms are suspected at the **Subject Location** it would be dangerous to the

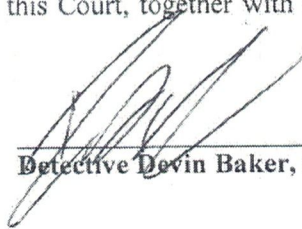


executing officers if the officers must announce their presence prior to the execution of the warrant. Thus, it is my opinion that announcing our presence prior to executing this warrant would both endanger the police officers at the location and inhibit the effective investigation of the crimes mentioned herein and could result in a futile effort to recover the items sought to be seized, namely firearms and ammunition. I respectfully request the Court's permission to execute this search warrant without first announcing our purpose and/or our authority, because in my experience there is reasonable cause to believe that giving such notice may endanger the life or safety of the executing officer or another person, or the person sought is likely to commit another felony.

27. I am further requesting authority to photograph and/or videotape the **Subject Location** for evidentiary purposes while carrying out the above-described search.
28. I further state that no previous application has been made for the relief requested herein. However, on September 20, 2023, at approximately 11:20PM, I appeared before the Honorable Judge Scott Dunn in Part AR-3 in an application for a search warrant for **Apartment B**. Said warrant is attached herein.
29. Based upon the foregoing reliable information and upon my personal knowledge, there is reasonable cause to believe that the **Designated Property and/or Evidence** is being unlawfully possessed and constitutes evidence or tends to demonstrate that an offense was committed or that a particular person participated in the commission of an offense in violation of Article 265 of the Penal Law of the State of New York on September 21, 2023 at the **Subject Location**.

**WHEREFORE**, I respectfully request that the court issue a search warrant and order of seizure, in the form annexed, authorizing the search of the **Subject Location**, between 6:00AM and 9:00PM, without first announcing our purpose and/or authority, for the **Designated Property and/or Evidence**, and directing that if such property or evidence or any part thereof be found that it be seized and brought before this Court, together with any such other and further relief that the Court may deem proper.

Sworn to before me this  
22 day of September, 2023

  
Detective Devin Baker, Shield No.: 1595

  
JUDGE

HON GONZALEZ

12:04 p.m.  
TIME